

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-27 are pending in this application. Claims 1, 13, 14, and 25-27 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 14.

Amendment to Specification

The specification has been amended to fill in the blank on page 1 of the specification.

Objection(s)

Figure 3 has been rejected because reference numbers 45 and 50 are not described in the description. The Applicant respectfully asserts that elements corresponding to reference numbers 45 and 50 are used in both Figures 1 and 3 and are discussed in paragraph [0018] of the instant specification. In addition, the Applicant respectfully asserts that no additional description of reference numbers 45 and 50 is required in the description of Figure 3 because reference numbers 45 and 50 used in Figure 3 correspond to the same elements (*i.e.*, data store and network link, respectively) used in Figure 1 and described in the paragraphs associated with Figure 1. In view of the above, elements referenced by reference numbers 45 and 50 are described in the specification. Accordingly, withdrawal of this objection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-27 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,321, 240 ("Chilimbi"). Claims 1-2, 8-10, 13-15, 20-22, and 25-27 have been amended by this reply to clarify the invention recited therein. Specifically, independent claims 1, 13, 14, and 25-27 have been amended to clarify that a "client runtime" is used to gather information to generate the usage pattern. Support for this amendment may be found, for example, in

paragraphs [0022]-[0024] of the instant specification. Dependent claims 2, 10, 15, and 22 have been amended in view of the clarifying amendments made to the independent claims. Accordingly, to the extent that the aforementioned rejection still applies to amended and original claims, the rejection is respectfully traversed.

The invention as recited in amended independent claim 1 relates to a method for transparently optimizing data access by gathering information using a *client runtime* and then using the gathered information to determine a usage pattern. As described in the specification, the client runtime is configured to intercept calls to the system in order to gather information about object usage (*See Instant Specification*, paragraph [0022]). Further, the usage pattern recited in amended independent claim 1, includes the necessary information to allow a process reading the usage pattern to determine a set of objects and attributes to pre-fetch (*See Instant Specification* [0023]). Thus, the invention recited in amended independent claim 1 provides a method to decrease the amount of data that is sent from the server to the client.

Chilimbi fails to teach or suggest a client runtime for intercepting calls to the system to determine gather information. Further, Chilimbi fails to teach or suggest a usage pattern as recited in the claims (original and amended). Specifically, Chilimbi is directed to a method for optimizing the layout of a cache (*See Chilimbi*, Abstract). Chilimbi teaches a method for managing cache lines so that data that is commonly needed by applications is available with minimal cache line misses (*See Chilimbi*, col. 2, ll. 31-34). However, Chilimbi does not teach or suggest a method for determining which data to retrieve from a server, or any mechanism corresponding to a client runtime that intercepts calls made to the system. Rather, Chilimbi is only concerned with organizing the data in the cache once the data is received.

Moreover, even assuming *arguendo* that the Chilimbi teaches a method for gathering information about calls to the system, Chilimbi does not teach a method for generating a usage pattern as recited in the claims. Specifically, Chilimbi does not teach or suggest a usage pattern that includes the information necessary to determine a set of objects and attributes to pre-fetch.

In view of the above, Chilimbi fails to teach or suggest all the limitations in amended independent claim 1. Thus, amended independent claim 1 is patentable over Chilimbi. Further, amended independent claims 13, 14, and 25-27 are also patentable for at least the same reason as

amended independent claim 1. In addition, dependent claims (amended and original) are also patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 103

Claim 3 stands rejected under 35 U.S.C. § 103 as being obvious over Chilimbi in view of U.S. Patent 6,700,590 (“DeMesa”). As noted above, independent claim 1, from which claim 3 depends has been amended. Thus, to the extent that this rejection still applies, this rejection is respectfully traversed.

The Applicant respectfully asserts that DeMesa does not teach what Chilimbi lacks. Specifically, DeMesa is directed to a method and system for retrieving and presenting data using a class-based component and view model. However, DeMesa fails to teach or suggest a *client runtime* or a *usage pattern* as recited in amended independent claim 1. There is no teaching or suggestion in DeMesa of interposing a client runtime to intercept calls made to the system. Further, there is no teaching or suggestion in DeMesa for generating a usage pattern from the aforementioned gathered data. Rather, DeMesa only teaches retrieving the data from multiple sources and presenting the data (*See DeMesa, Abstract*). Further, there is no teaching or suggestion in DeMesa to indicate that the data cited in DeMesa corresponds to a usage pattern as recited in the claims.

In view of the above, Chilimbi and DeMesa, whether viewed separately or in combination, fail to teach or suggest the invention recited in amended independent claim 1. Thus, amended independent claim 1 is patentable over the cited referenced. Dependent claim 3 is patentable over the cited references for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11, 12, 23, and 24 stand rejected under 35 U.S.C. § 103 as being obvious over Chilimbi in view of U.S. Patent 6,430,741 (“Mattson”). As noted above, independent claim 1, from which claims 11 and 12 depend, has been amended. Further, independent claim 14, from which claims 22 and 23 depend, has been amended. Thus, to the extent that this rejection still applies, this rejection is respectfully traversed.

The Applicant respectfully asserts that Mattson does not teach what Chilimbi lacks. Specifically, Mattson is directed to a method and system for coverage analysis of a computer program. However, Mattson fails to teach or suggest a *client runtime* or a *usage pattern* as recited in amended independent claim 1. In particular, there is no teaching or suggestion in Mattson of interposing a client runtime to intercept calls made to the system to obtain information about object and attribute usage. Rather, Mattson only teaches a method for inserting tracing methods directly into a computer program (*See Mattson, Abstract*).

Moreover, even assuming *arguendo* that the tracing methods gather information about object and attribute usage, there is no teaching or suggestion in Mattson for generating a usage pattern (described above) from the aforementioned gathered data. Rather, Mattson only teaches using the information gathered by the tracking methods inserted in the computer program to determine the number of accesses for each element in the data tables of interest (*See Mattson, col. 3, ll. 41-48*). The Applicant respectfully asserts that the gathered information does not provide information about *object* usage which is used to determine a usage pattern.

In view of the above, Chilimbi and Mattson, whether viewed separately or in combination, fail to teach or suggest the invention recited in amended independent claim 1. Thus, amended independent claim 1 is patentable over the cited referenced. Further, amended independent claim 14, is patentable for at least the same reasons. Dependent claims 11, 12, 22, and 23 are patentable over the cited references for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159/022001; P6423).

Dated: November 15, 2004

Respectfully submitted,

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Application No. (if known): 09/998,035

Attorney Docket No.: 16159/022001; P6423

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Response to Office Action Mailed August 27, 2004.